



Winter 2010

Southeastern Law Librarian Winter 2010

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Southeastern Law Librarian

Winter 2010

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Volume 35, Issue 1

Presidential Postings

SEAALL President

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As I write this, the annual election is still in process so I cannot announce our new Secretary and Member-At-Large. However, I can extend my thanks to ALL who accepted the call from Nominations and ran for office. Whether you were elected this time or not, your willingness to run and to take on the responsibilities of being a SEAALL leader is much appreciated. I can also extend my thanks to outgoing members, Rebekah Maxwell and Linda Sobey all their hard work during their two years on the Board.

As this is my final official ponderings, I will continue the thank yous for all who have and who continue to make SEAALL the wonderful organization that it is and my year as President so rewarding. This includes the Board, committee chairs and members, and the SEAALL membership at large. While I cannot list all people who have contributed in myriad ways (and would be sure to leave a key name or two if I tried) I do want to extend special thanks to Carolyn Santanella, who, come low economy or high snow drifts made sure that our newsletter went out and that your President got off her pondering posterior and actually wrote down her ponderings in a timely manner. I also extend extreme thank to Karen Douglas and Jim Heller, who as head of Programming and of Local Arrangements have been laboring away so

that the rest of us may have fun at the annual meeting in Williamsburg.

Those of us living where there is still snow on the ground may be surprised that it is already time to make our plans to attend the annual meeting, but April will be here sooner than one may care to imagine. If you have not already done so, visit the meeting website at <http://web.wm.edu/law/lawlibrary/seaall2010/> to discover what will be happening from April 22nd – 24th.

This year's Institute is priced with the economy in mind but there will be no reduction in quality. The topics, variations on how to deal with change and to plan for the future, should be of interest to all types of librarians in all type of libraries.

Follow the "Fantastic Programs" link to discover the broad array of topics and speakers that will be available, and take a look at the tempting options for Friday's Dine-Around. There are so many tantalizing choices that you may wish to arrive a day early and stay a day late so that you can try them all.

REMEMBER: You need to register by March 21 for "early bird" prices and do not forget to tell the hotel that you are with SEAALL so that you get the conference rate.

If you get this newsletter before February 26, you might be able to meet the deadline for the

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And now, a word . . . or two

This is my last issue as editor for The Southeastern Law Librarian. It has been an honor and a privilege to serve SEAALL and its membership. I hope that if any of you have yet to volunteer for some area of service to the organization that you will give it strong consideration in the coming year. There is no service too small that will not, in the end, benefit both those served and the servant in equal portions.

I wish to extend my deepest thanks to the members of the newsletter committee for all their assistance. A most special thanks goes to Elizabeth Farrell who has graciously taken my messes and flawlessly formatted them for posting on the SEAALL website.

With sincerest thanks,

Carolyn Santanella

Lucile Elliot and Kathryn Mattox Scholarships. <http://www.aallnet.org/chapter/seaall/scholarship/index.htm> If you missed these, there are still more possibilities for those of you hoping to attend AALL in July. Also, do not forget to check AALL and SIS offerings <http://www.aallnet.org/committee/grants/grants.asp> to find a number of grants & scholarships that will ensure a strong SEAALL presence in Denver.

I look forward to seeing many of you in April and wish all members an early spring.

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Report from Community Action Committee:

SEAALL Conference Charity

This year the Community Action committee has chosen Avalon – A Center For Women and Children, as our charity for the SEAALL Conference. Avalon is committed to intervening in and reducing the incidence of domestic violence and sexual assault. In order to achieve this mission, Avalon offers shelter, advocacy, education and support to survivors and fosters awareness and prevention by educating the community.

Their website is:

<http://www.avaloncenter.org/>.

Avalon's mission focuses on our three core programs:

Emergency Shelter Program - A 19 room facility that provides room and board, and counseling for up to 45 days free of charge.

Transitional Housing Program - Six apartments are offered to Emergency Shelter residents who qualify. Transitional residents must have a job and pay a nominal rent, attend life skills courses, and counseling is provided if requested.

Community Outreach Program - Counseling, legal advocacy services and school based educational programs dealing with prevention are provided throughout the community free of charge.

Avalon is in need of household items such as toilet paper, paper towels, cleaning and laundry supplies diapers and wipes. We are asking SEAALL members to donate money at the Conference that one of the William & Mary law librarians will then use to purchase these items locally so they can be delivered to Avalon. Look for a box at the registration desk where you can put your donations. Thanks in advance for your help in supporting this very worthy charity.

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The Importance of Tradition in Libraries

When people talk about the Constitution as a living document some will scowl and some will nod their head in agreement, but one thing that can truly be described as an inanimate living object is the law library. Libraries have undergone major changes in the past fifteen years with the advent and expansion of the internet and databases. To step further back another fifteen years or so the introduction of computing radically changed nearly every facet of library work from acquisitions, cataloging, reference and information access via CD-Roms. In addition to these mechanical changes, law libraries in recent years appear to have been undergoing a transfusion of sorts with an influx of new blood as new employees join the law library ranks and members of the "Old Guard" step away from their long held positions. If a library is to hold on to its long history and remember and utilize its past during these changes, tradition can help bridge these gaps of progress.

I realize I may have already lost some readers as they do not believe there is a gap to be worried about, but I offer a few examples of how even libraries with strong continuity should utilize tradition in its broad definition. In 2009 the United States was faced with the H1N1 "Swine" Flu that affected many a library, including my own. While the strain that was encountered in my experience was rather mild, the need for tradition to take over when a quarter of the staff fell sick was present. Additionally, many law libraries are currently facing budgetary issues as their parent institution is looking to slash and freeze anywhere possible. When two jobs become one or librarians or library staff get laid off, tradition has to step in to help ease the transition that is being forced on many in our library community.

Tradition, as referenced here, is a broad idea. Tradition is what has been done in the past. Tradition is what is memorable to family, in this case the library family. This includes both the good and the bad, and hopefully in the reflection of this some of the bad, we will be cured from some of our less than ideal habits.

The need for continuity through tradition can be a blessing or, when lacking, can be a curse. One of the best examples applied to the above scenarios involves Interlibrary Loans. Dealing with ILL's is not a difficult thing per se, however, if one has never laid eyes on the system and no manual exists, what happens in the flu or lay-off scenario? In many libraries only one or two persons know how to process ILL's

in a timely manner. An additional example is database password management when something like the flu sweeps through the reference department (in our case two main reference librarians). When the reference librarians are out who actually has the password to those Bender online databases?

Having now identified a set of conceivable problems, what is the magic answer? Well, it depends. It depends on your staff, professionals, and your library structure. The easy answer is everybody has a manual. If everybody has a manual, then those left behind to figure things out can just go to the manual. This idea of knowledge management exists as the better knowledge is managed the more productive worker will become.⁽¹⁾ Libraries should theoretically have in place policies and procedures for everything before it actually happens. These policies and procedures should be typed, bound in easy to find notebooks, and perhaps also stored on the server somewhere for easy access (for when you cannot find the notebook). An alternative to the "old" way of having a bound manual is the wiki method that has been discussed at library conferences and implemented in some libraries.⁽²⁾ These manuals are also excellent tools for when the ABA comes calling ever so often to do their site visits and they ask that broad question of "So what is it you do?"

Manuals or their wiki counterparts are the first step in the fight for maintaining a law library even if negatives such as sickness or cut-backs occur. However, manuals have several problems that one should be aware of before ending the conversation. First, manuals can become outdated very quickly and keeping it constantly updated can be a timely process. For those with passwords, the passwords change over time, new equipment should require a new page on how to operate it and, assuming something was gotten rid of, that part can be purged. Circulation policies are constantly changing, perhaps because of a poorly laid tradition (or just progress), and to keep everyone on the same page the manual should be updated every time an email is sent out to the circulation staff regarding new and sundry policies tweaks as these occur. This is because both the manual is the holder of tradition and as a reference for those employees who do not remember or did not read the all important email. A second issue with manuals is actually getting all of the library staff to complete one if one does not ex-

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Brian Barnes
Research,
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ist. This may sound easy to do but in practice can prove very difficult to do for those who are busy and those who do not want others to know what they do (or don't do) on a daily basis.

A further reason for having tradition established as written policies and procedures is to prevent lawsuits or catastrophes. The lack of documenting these traditions has made its way to the courts in discrimination and reasonable accommodations cases⁽³⁾ and made disaster planning a moot point if a library does not have remote access to the plan⁽⁴⁾ or if the plan is lost in the disaster itself such as in a flood or hurricane.

The second major step in this battle to maintain tradition and continuity is cross-training. Cross training allows libraries to best handle issues such as described above and can also be utilized in certain times of upheaval. For instance, when bindery books come in, multiple people could help process them even if not their primary job since they often seem to come en masse. This idea requires collaboration by all that participate in a cross trained endeavor and can create appreciation for what others in the library do on a regular basis that was never known before.⁽⁵⁾ It is important to note here that not all jobs may be appropriate for cross training due to their complexity or the sensitivity of the matter such as financial and budgetary documentation.⁽⁶⁾

Cross-training is not without issues, however. In a perfect world staff members will all get along fine and all work with great diligence. However, if your library is not in Smurf Village where all is merry and grand, you will have to be aware of the mentality that one worker may start doing less work knowing someone else in the library will pick up the slack because they now know how. Once the hard working person figures this out then resentment and trouble could ensue. However, this is not a valid reason to refuse to cross-train library staff. Continuity and the overarching idea of teamwork and believing in the best of workers must overcome this possible issue.

Another issue that may arise with cross training is the "that's not how it is done" debate. This is where the need for strong management (and hopefully an existing manual) can step in and solve these issues quickly. In reality the manual and status quo (or tradition as it has

been broadly termed) may not always be the most efficient way currently possible. From the problem solver point of view one can see the "that's not how it is done" situations as opportunities to evaluate if a library is doing something the best way possible and to clarify to all the staff what the rules or procedures are going to be going forward. Odds are if two individuals treated the situation differently a third might also have questions.

Tradition in libraries is needed not only to know where the library is coming from, but to continue what has been learned by previous library staff. This tradition is much like the fact that I have taken over making ice cream from my uncle at the Fourth of July and my sister now makes a casserole at Thanksgiving my grandmother used to make. The things we do not want to lose in less than prime times including the ability to access databases, the ability to respond to Interlibrary Loan requests and submissions, and the ability to process books when the cataloging department has the flu need to have safeguards in place. Manuals and cross training are two main safeguards to help make swine flu or layoffs just an inconvenience instead of devastating to your library.

Notes:

(1) Ravas, T. (2008). Not Just a Policies and Procedures Manual Anymore: The University of Houston Music Library Manual Wiki. *Notes*, 65(1), 40.

(2) *Id.* at 39.

(3) Shields, Marjorie A. J. "Necessity of, and What Constitutes, Employer's Reasonable Accommodation of Employee's Religious Preference Under State Law," 107 A.L.R. 5th 623.

(4) Schmitt, S., & Barstow, S. (2004). Policies and Procedures Manuals in Technical Services: The Forest, the Trees, and the Critters. *Serials Librarian*, 46(3/4), 259.

(5) Branton, A. (2004). "Successfully Merging Workflow and Personnel in Technical Services: A Management Perspective". *Innovative Redesign and Reorganization of Library Technical Services*, 185.

(6) *Id.*

SEAALL Scholarship Report

This has been a year of many fortieth anniversaries. In 1969, Neil Armstrong, Michael Collins and Buzz Aldrin landed on the moon in Apollo Eleven and took the most famous steps ever taken. In New York, half a million or so people went to a farm for three days of peace and love and mud and the best version of Star Spangled Banner ever, although reports were that most had left by the time Hendrix played. The Stonewall Inn in Greenwich Village was raided by New York City police for no particular reason, and Sesame Street airs for the first time on PBS affiliate WNET, the station that introduced my younger siblings to Bert & Ernie, Big Bird, and the Cookie Monster. A recent Washington Post article complained that all 1969 40th anniversaries should be 86'ed, so I'll end my list after mentioning that 1969 is also the year CONELL became the program to welcome new librarians to the AALL Annual Meeting.

When one is new to a field one might be intimidated by attending a national professional conference or meeting for the first time. The value of CONELL is that it eases the newcomers into the meeting by introducing them to one another, thereby calming the nerves and jitters one might have about being in a strange place and not knowing anyone. This helps because as the newcomers move from presentation to presentation, they will recognize one another and can strike up conversations so it at least looks like they know somebody in the profession. Social networking within the profession will become more and more important as librarians increasingly rely on one another.

CONELL 2009 began with greetings by the committee members. Cornell Winston offered some great advice to the CONELL attendees on "How to Conference", particularly stressing the value of meeting new people. Listening to his advice early in the conference not only provides attendees with helpful tips, his enthusiasm motivated me to introduce myself, no small feat

as I am typically reserved. He encouraged us to meet new people every day of the session, and it was fun putting faces to the many names I've learned. The helpfulness of librarians and the willingness to share what they know never fails to amaze and inspire me. I've held many jobs before becoming a librarian, so I have experience in attending other professional meetings and am comfortable making this comparison.

Participants then engaged in a speed-networking session. While we didn't quite have time to meet everyone in our group, we were able to meet most and got off to a great start. Committee members then explained the organization and hierarchy of AALL, giving newer librarians a clear picture of the structure of the organization.

In the afternoon, we took a great tour of Washington, D.C. Rather than focusing on the major government tourist attractions, our tour visited different neighborhoods throughout the district, really showing the city from the perspective of those who call it home. I attended school in the District and only live two hours away. Still, I learned a lot about and enjoyed the leisurely stroll through the neighborhoods and looking at some gorgeous (and expensive) homes. This was a tour that took us off the proverbial beaten path and showed a side of D.C. only the locals know. I enjoyed the tour so much that when we got back to the hotel, I decided to go for a run from my hotel to Georgetown to see more.

I would like to thank the SEAALL grants committee for their help in my attending the conference. I would also like to thank Maggie Hall for hosting a fun-filled dine around at Regional Food and Drink and answering a lot of general, if not random, questions over the course of the next few days. I would also like to thank Donna Bausch, my boss at the Norfolk Law Library, who has always offered her help and support.

David Knight
Norfolk Law Library

Dining in Williamsburg during SEAALL 2010

The 2010 SEAALL Annual Conference is quickly approaching – don't forget to register by March 21 to get the early bird discount! You can get the registration form from the official Conference website at <http://web.wm.edu/law/lawlibrary/seaall2010/?svr=law>. While you're in Williamsburg, Virginia, for the Conference, you'll naturally want to take advantage of our unique historical atmosphere and other attractions. While you're enjoying the town, though, be sure not to neglect your belly; Williamsburg also has a variety of places to satisfy your culinary cravings. The dine-around on Friday night is the perfect chance to sample what Williamsburg dining has to offer – more details on dine-around locations will be available soon on the Conference website.

Of course, you're welcome to venture out and try Williamsburg restaurants on your own. If you're looking for a taste of history, try one of Colonial Williamsburg's taverns – King's Arms, Shields, Chowning's (pronounced "Chew'nings"), or Christiana Campbell's. You can enjoy lunch or dinner

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in a colonial atmosphere, and some of the taverns also have entertainment, 18th-century-style. For more information and to find out which taverns will be open, go to <http://www.history.org/visit/diningExperience/>

Hungry for something slightly more contemporary? Williamsburg has a number of options. Pierce's PITT Bar-B-Que <http://www.pierces.com/> is a Williamsburg institution, and well worth a visit for BBQ lovers. (You'll need a car for this one – rumor has it that the state had to put a fence up to keep people from driving directly off I-64 to go there).

If you're searching for fine dining, consider The Fat Canary and The Blue Talon in Merchants Square, perched between Colonial Williamsburg and the College of William & Mary. Merchants Square also features The Trellis, which is currently undergoing renovation, but plans to be open by March 2010.

For lunch, Aroma's Café and Friends Café on Prince George Street are very popular with locals, as is The Cheese Shop on Duke of Gloucester Street. If you're in the mood for a burger, fries, and a milkshake, the circa 1950's Queen Anne Dari-Snak at 7127 Merrimac Trail is another long-time Williamsburg favorite (also within driving, not walking range).

This is just the tip of the iceberg – be sure to ask at the Registration Desk for other ideas. We look forward to having you as our guest in 2010!

Looking over a Shoulder

Edward T. Hart
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As a librarian charged with collection development and familiar with James Donovan's writings, it was with some anticipation I read his article "Libraries as Dopplegängers: A Meditation on Collection Development" in the last issue of the *Southeastern Law Librarian*. That anticipation turned to disenchantment as I was quickly disengaged by his argument supported by ivory tower aspirations of how legal resources are used these days and the corresponding ivory tower view of law library collections. While I do not share Donovan's mastery of prose, yet inspired by the dialogue Donovan and Richard Danner had in the pages of the *Legal Reference Quarterly*, I felt the need to respond on behalf of librarians working in collection development who make hard choices of ownership of print versus access of electronic.

Donovan equates his personal library of SOL-GAN and the enjoyment he has of reading the issues of this title cover to cover with a library's mission of collecting, preserving, and accessing contents of serial publications. His approach to scholarship and collecting knowledge does work for some legal scholars. Several faculty members in the colleges of law I have served, do as Donovan does. They have personal subscriptions to general law reviews from leading law schools and often also subject-specific journals. The faculty enjoy the serendipity of looking through the articles in each issue, reading many of them, and seriously studying articles of direct interest to their research and teaching. The issues are kept on their shelves for future reference. One professor I know even had his bound. Their collections, like Dono-

van's, reflect who they are and their interests. But most faculty with whom I had the pleasure to work with do not carry out their studies or research this way.

Faculty with whom I work and support do not have the luxury of such time or even care to read a law review cover to cover, or even a subject-specific journal in their area of work. They take advantage of the modern tools of CILP, WestClip, and Lexis Alert, as well as RSS feeds and email services offered by many publishers and periodical jobbers. These tools allow faculty to glance over the table of contents to locate articles that interest them. Those who enjoy coming across new ideas or keeping up with scholarship outside their subject can still accomplish this goal using these tools. Faculty save the articles of interest. Some have in reality built a fine collection of articles, preference being pdf, whether on their computer, or shelves, or filing cabinets that can be their dopplegänger, to use Donovan's term. Some faculty print out their collected articles. They want the hard copy on which to make notes and annotations beside the text of the articles, and then safely file away for future use. They, like Donovan, don't like to have to look over anyone's shoulder including any librarians'.

What does all this mean to libraries? It means access and ease of capturing articles is more important to our users than many libraries' self-imposed mission of preservation. Now I do not want to totally question Donovan's meditation, as I agree preservation is a role that libraries should be playing. A role played jointly and in coordination. Like Donovan, I too carry

the message of Double Fold and it is nagging there in the back of my head nearly every time I make the decision to switch a title from print to electronic. I too am concerned about the loss of something that we will not know is lost until after it is gone. Does that mean every library needs to keep every periodical? The answer is no. Most libraries need to be more worried about the current education of their school's students and the scholarship faculty carry out to perform this educational task.

The answer above does not allow us librarians as a profession to escape the need to coordinate and work together to preserve this content, but there is no coordination at this time. LLMC is trying with its charter members to preserve exemplary materials of primary law, such as state reports. But I know of no effort regarding periodicals. LIPA is also seeking preservation of legal information resources, but like LLMC, its focus is more on primary sources and other government publications. Yes, Hein is preserving an electronic image, but like the micro formats Nicholas Baker talks about his Double Fold, it is not the same thing as preserving the real item. Plus, with Hein we should have some underlying concern of this family-owned for-profit company, which has been a great partner with law libraries and the law librarian profession, is still a business that at the end of the day must consider the bottom line. There are also the current open access models and proposals such as the Durham Statement for systemic open access that some believe heralds the future. What about saving the past?

I recall hearing Michael Chiorazzi tell a story about his library ceasing collecting periodicals. He even had a great spin on it at the time his school was planning a major expansion that included new space for the library with an estimated ten years of growth space for the collection. Chiorazzi calculated for those forthcoming ten years what his library's periodicals would cost. He included subscriptions, labor to manage the collection, preservation and binding, and the square footage needed to house. His estimate was a conservative \$10 million. He pitched to his dean that ceasing to collect periodicals, which are available in some many ways electronically, would be like Chiorazzi giving the school a \$10 million gift. He argued further

that it would be more cost effective to support as needed faculty travel to carry out research at such places as Harvard and Yale. The dean said no. Chiorazzi might be happy today that his dean said no, because even Harvard is joining the wave of libraries weeding periodicals.

The reality is that many law libraries have followed Chiorazzi's model. This brings me back to my purpose in this response to Donovan. Not every library needs to preserve every periodical title. Here in Florida there has been very tentative discussion among the four state-supported law school libraries, University of Florida, Florida State University, Florida International University, and Florida A & M University, to coordinate collection development of periodicals. Among these four sister libraries the collection of periodicals varies because of space and budget issues. UF still holds to the goal of collecting every periodical from every ABA-approved law school and for now has the budget and the space to continue fulfilling this goal. FSU still subscribes to most law review, but due to space constraints does not retain them for more than a year, depending upon Hein. FIU started off collecting only top ranked law reviews, but that limited collecting is being reduced as budgets tighten. FAMU took possession of a county law library with existing runs of periodicals and thanks to court fees is able for now to continue this collection. But can these four state-supported law school libraries really defend maintaining their separate historical collections, collections that have been replicated in electronic format more than once? Particularly in these current harsh economic times? What if we extended this discussion to include the other seven law schools in Florida? Maybe this is a conversation Donovan's own library at the University of Georgia should be having with its sister state-supported library at Georgia State University, and even the other three Georgia law schools.

I am pretty used to reading over Hein's shoulder and enjoy the view, but I would feel more comfortable doing so if I was more confident in the systemic preservation of law reviews and journals.